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PTO/SB/21 (07-09)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/668680	RECEIVED
	Filing Date	September 23, 2003	
	First Named Inventor	Lewis M. Nashner	JAN 11 2010
	Art Unit	2863	
	Examiner Name	LAU, TUNG S	OFFICE OF PETITIONS
Total Number of Pages in This Submission	4	Attorney Docket Number	103.241

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-2038
Remarks: _____		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Temmerman Law Office	
Signature	/Mathew J. Temmerman/	
Printed name	Mathew J. Temmerman	
Date	January 2, 2010	Reg. No. 54487

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	/Mathew J. Temmerman/
Typed or printed name	Mathew J. Temmerman
Date	January 2, 2010

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

2010 JAN -6 PM 4: 17

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent of Lewis M. Nashner

Date: 2 January 2010

Pat. No.: 7,127,376

Confirmation No.: 1246

Issued: October 24, 2006

For: Method and Apparatus for Reducing
Errors in Screening-Test Administration

Attorney Ref. No.: 103.241

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JAN 11 2010

OFFICE OF PETITIONS

*Petition under §1.28(c)*Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir or Madam:

The Assignee and Current Owner of the patent captioned above, pursuant to 37 CFR §1.27(c) hereby notifies the United States Patent and Trademark Office that on November 30, 2009 a maintenance fee was submitted for a "small entity" amount when one week prior a Notification of Loss of Entitlement to Small Entity Status was submitted pursuant to 37 CFR §1.27(g)(2). The fee payment was submitted online and in good faith wherein according to the USPTO online statement only the small entity fee was required. Since submitting the small entity maintenance fee, the USPTO records have been updated to reflect the Applicant's large entity status. Accordingly, a top up payment equal to the deficiency owed and resulting from the previous erroneous payment of small entity fees is provided.

The deficiency owed is calculated as the difference between the current fee amount on the date the deficiency is paid in full and the previous erroneous small entity fee payment, or in this instance calculated as follows:

Type of Fee erroneously paid as small entity: 4th Year Maintenance Fee

01/08/2010 DALLEN 00000012 7127376

01 FC:1599

490.00 0P

Small Entity Fee actually paid, and when: **\$490.00, paid November 30, 2009**

The deficiency owed amount: **\$490.00** equal to \$980.00 - \$490.00.

Total deficiency owed: **\$490.00**

Any questions or concerns should be directed to the undersigned and the phone number provided.

Dated: January 2, 2010

By: 

Mathew J. Temmerman, Reg. 54,487

Tel: (530) 750-3661